

REMARKS

The Examiner has entered a Restriction Requirement with respect to Claims 1-63. According to the Examiner, Claims 1-63 comprise two distinct inventions. The invention of Group I comprises Claims 1-31 and 43-50, and is directed to a method for reducing corrosion of a head element during rework operations, and is classified in Class 29, Subclass 603.03. Group II comprises Claims 32-42 and 51-63 and is directed to an improvement and subcombination, classified in Class 360, Subclass 235.1. Applicant respectfully traverses this Restriction Requirement.

The Examiner relies upon MPEP § 806.05(f) as the basis for requiring restriction of the present application. More specifically, the Examiner states that the products as claimed (Claims 32-42 and 51-63) can be made by another and materially different process than the processes recited in Claims 1-31 and 43-50. For example, the claimed products can be made without placing the head element into a container or transporting the container. (Feb. 11, 2004 Office Action, ¶ 5.)

The Examiner's position is factually flawed and, therefore, incorrect. The Examiner's position implies that method Claims 1-31 and 43-50 all require placing the head element into a container and transporting the container. While this is true with respect to Claims 43-50, it is not true with respect to claims 1-31. With the possible exception of dependent Claim 9, none of method Claims 1-31 recite placing the head element in a container and transporting the container. Claim 9 simply recites storing the head element. Thus, the Examiner's conclusion that the product of Claims 32-42 and 51-63 can be made by a process not including placing the head element in a container or transporting the container does not distinguish product Claims 32-42 and 51-63 from method Claims 1-31. Therefore, the Examiner's conclusion that the claims recite distinct inventions is incorrect and the Restriction Requirement should be withdrawn.

Despite the foregoing flaw in the Examiner's position, Applicants have amended Claims 1, 43 and 51-63 for clarification purposes and not for purposes of patentability. With respect to independent Claims 1 and 43, Applicant has amended the preamble to make it clear that these

claims, and their dependent claims, address the manufacture of a disk drive. In addition, Applicant has amended Claims 51-63 to recast them as methods for making a disk drive. Thus, pending Claims 1-31 and 43-63 all address the manufacture of a disk drive, and should be classified together in Class 29, Subclass 603.02 or 603.03. In contrast, product Claims 32-42 address an improved disk drive. Under these circumstances, Applicant submit Claims 1-31 and 43-63 comprise one distinct invention, and Claims 32-42 comprise a second distinct invention. Accordingly, Applicants elect to proceed with examination of Claims 1-31 and 43-63.

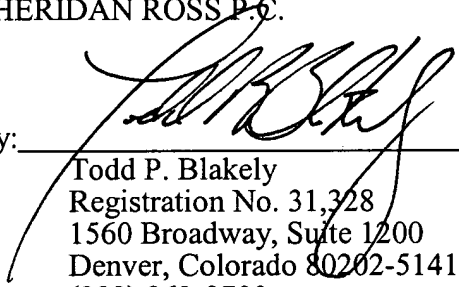
Should the Examiner disagree with Applicants' position as stated herein, Applicants provisionally elect to proceed with the invention of Group I, Claims 1-31 and 43-50, although, for the reasons stated above, Applicants submit newly recast method Claims 51-63 should now be included within Group I.

In the event that a telephone conversation would further prosecution and/or expedite allowance, the Examiner is invited to contact the undersigned.

Respectfully submitted,

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